



Postal Registration No. N. E.—771/2006-2008

The Gazette of Meghalaya

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 124

Shillong, Wednesday, November 12, 2014

21st Kartika, 1936 (S. E.)

PART IV

GOVERNMENT OF MEGHALAYA

MEGHALAYA LEGISLATIVE ASSEMBLY SECRETARIAT

ORDERS BY THE GOVERNOR

NOTIFICATION

The 6th November, 2014.

No.LB.5/LA/2013/48.—The following order of the Governor of Meghalaya dated 6th November, 2014 is published for general information :-

“RAJ BHAVAN
SHILLONG-793001
November 6, 2014.

ORDER

In exercise of the powers conferred by Clause (1) of Article 174 of the Constitution of India, I, Dr. K. K. Paul, Governor of Meghalaya, hereby summon the Meghalaya Legislative Assembly to meet at 10.00 A.M. on Friday, the 21st November, 2014 in the Temporary Assembly Chamber at Riblong, Shillong.

K. K. PAUL,
Governor of Meghalaya”.

H. MYLLIEMNGAP,
Secretary,
Meghalaya Legislative Assembly.



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PART IIA

GOVERNMENT OF MEGHALAYA INFORMATION TECHNOLOGY DEPARTMENT ORDERS BY THE GOVERNOR

NOTIFICATION

The 17th October, 2014.

No.ITA36/2013/52.—In exercise of the powers conferred by the proviso to Article 309 of the constitution of India, the Government of Meghalaya is pleased to make the following rules regulating the recruitment and the conditions of Service of Persons appointed to the Technical Post of Information Technology Department Service, namely;

INFORMATION TECHNOLOGY DEPARTMENT (TECHNICAL) SERVICE RULES, 2014.

1. **Short Title and Commencement** - (1) These rules may be called the Information Technology Department (Technical) Service Rule, 2014.
(2) They shall come into force from the date of notification in the Official Gazette.
2. **Definitions.** - In these rules unless there is anything repugnant in the subject or context, -
 - a) "Appointing Authority" means
 - 1) The Governor of Meghalaya in respect of the Gazetted posts; and
 - 2) Government for Non-Gazetted posts;
 - b) "Commission" means the Meghalaya Public Service Commission.
 - c) "Committee" means the Committee constituted under Rule 8 of the Information Technology Department (Technical) Service Rules or a Selection Committee under Rule 9, as the case may be;
 - d) "Gazette" means the Gazette of Meghalaya;
 - e) "Government" means the Government of Meghalaya;
 - f) "Governor" means the Governor of Meghalaya;
 - g) "Member of the Service" means a member of the Meghalaya Information Technology Department (Technical) Service;
 - h) "Schedules" means Schedule appended to these Rules;
 - i) "Service" means the Meghalaya Information Technology (Technical) Service constituted under these rules;

- j) "State" Means the State of Meghalaya; and
- k) "Year" means the calendar year.

3. Constitution of the Service. - There shall be constituted a service to be known as the Meghalaya Information Technology Department (Technical) Service consisting of the following persons, namely –

- (i) persons appointed to different posts in the Service before the commencement of these rules; and
- (ii) persons appointed to different posts in the service in accordance with the provisions of these rules.

4. Composition of the Service. - (1) The Service shall consist of the following grades and posts namely, -

- i. Senior Grade - for Senior Informatics Officer
- ii. Junior Grade - for Junior Informatics Officer

(2) Each of the categories of posts in clauses (i) & (ii) of sub-rule (1) shall form an independent cadre. Members of the lower cadre shall have no claim for appointment to any of the higher cadre except in accordance with the provisions of these rules.

5. Status. - The status of members of the Service holding posts in Senior Grade and Junior Grade shall be Class-I Gazetted Officers.

6. Strength of the Service. - (1) The strength and composition of the Service shall be such as may be determined by the Governor from time to time.

(2) At the commencement of those rules the strength of the service and the posts therein shall be as shown in Schedule- I of these rules.

7. Method of Recruitment. – (1) Senior Grade - Appointment to the Senior Grade post shall be made by promotion from the Select List of Junior Grade Officers approved under clause (ii) sub rule (1) of Rule 4, who have completed at least 5(five) years of continuous service on the first day of the year in which the selection is made.

(2) Junior Grade - Appointment to the Junior Grade post shall be made by direct recruitment as per Schedule-II of these rules.

8. Departmental Promotion Committee. - For the purpose of promotion under sub rule

(1) of Rule 7 to the posts carrying scales of pay the maximum of which Rs.33,690.00 and above, there shall be a Departmental Promotion Committee consisting of the following members:-

1.	Chief Secretary	Chairman
2.	Principal Secretary or Commissioner and Secretary, Information Technology Department	Member Secretary
3.	Principal Secretary or Commissioner and Secretary, Personnel & A.R. Department or his Representative	Member
4.	Principal Secretary or Commissioner and Secretary Finance Department or his Representative	Member
5	Director, Information Technology Department	Member

The Committee may invite any other person to attend its meeting if and when considered necessary.

9. Procedure for preparing the Select List. - (1) At the beginning of each year the Appointing Authority shall refer to the Committee, the approximate number of vacancies likely to occur in each grade of the Service during the year. To enable the Committee to prepare the lists for promotion to those grades, the Appointing Authority shall furnish the Committee with the following documents, namely:-

(i) A list of the members of the Service drawn up in order of seniority and consisting three times the number of vacancies referred to in sub-rule (1);

Provided that such restriction shall not apply in respect of the post where the total number of eligible persons is less than three times the number of vacancies and in such a case the Committee shall consider all the eligible Officers;

(ii) The Character Rolls and Service Records of such members; and

(iii) Any other documents and information as may be considered necessary by the Appointing Authority or required by the Committee;

(2) The Committee after examining the Character Rolls, Service Records and their documents in respect of all such eligible persons, shall prepare a list based on seniority with due regard to merit and suitability. The number of persons to be included in the list shall be according to the actual number of vacancies available at the particular grade. The list shall be forwarded by the Committee to the Appointing Authority.

(3) The Committee shall place the names of persons in the select list in order of preference for

promotion. In every case where a junior member is selected in preference to his seniors, the Committee shall record in writing the reasons for doing so.

- (4) For the purpose of appointment by promotion under sub-rules (1) of rules 7, the Appointment Authority shall consider the list prepared by the Committee along with the Character Rolls and Service Record and other documents in respect of each person in the list and unless he considers that any change is necessary, approve the list. If the Appointing Authority considers it necessary to make any change in the list received from the Committee, he shall inform the Committee of the changes proposed and after taking into account the comments if any, of the Committee, approve the said list finally with or without modification as may in his opinion to be just and proper.
- (5) The list as approved under sub-rule (4) above shall form the select list for the purpose of appointment by promotion under sub -rule (1) of rule 7.

10. Validity of the Select List. – (1) The Select List shall remain in force for a period of one year unless its validity is extended by the Appointing Authority:

Provided that such an extension shall not be for a total period exceeding six months;

Provided further that in the event of any great lapse in the conduct or performance of duties on the part of any person in the Select List, the Appointing Authority may, if it thinks fit, remove the name of such persons from the Select List in consultation with the Committee. The Appointing Authority shall record the reason(s) for doing so in writing

- (2) The Committee shall meet once a year to review the Select List.

11. Direct Recruitment. - (1) Competitive Examination for direct recruitment under sub - rule (2) of rule 7 shall be held at such intervals as the Appointing Authority may, in consultation with the Commission from time to time determined. The date on which and the place in which the examination shall be held, shall be fixed by the Commission.

- (2) The examination shall be conducted by the Commission in accordance with such Syllabus as the Appointing Authority may, from time to time make in consultation with the Commission framed.
- (3) Of the number of vacancies to be filled up on the result of each examination, there shall be

reservation in favour of candidates belonging to Schedule Castes and Scheduled Tribes to the extent and subject to the conditions as the Government may from time to time prescribed.

(4). On the basis of the results of the Competitive Examination, the Commission shall prepare a list of all successful candidates in order of merit, which shall be determined in accordance with the aggregate marks obtained by each candidate and if two or more candidates obtain equal marks, the Commission/Committee shall arrange in order of their relative merit which shall be determined in accordance with the general suitability of the candidates for appointment to the post. The number of persons to be included in the list shall be as according to the actual vacancies likely to occur during the recruitment year.

(5) The inclusion of a candidate's name in the list confers no right to appointment unless the Government is satisfied after such enquiry as may be considered necessary that the candidate is suitable in all respect for appointment to the post and that appointment to any post in the Service is subject to availability of vacancy.

12. Conditions of eligibility for appearing at the Competitive Examination. - In order to be eligible to compete at the examination for direct recruitment, a candidate must satisfy the following conditions, namely –

(1) Nationality - He / She must be a citizen of India

(2) Age- He / She must have attained the age of 18 years and must not have exceeded the age of 27 years on the first day of the year in which the advertisement for the post is made.

Provided that in the case of candidate belonging to Scheduled Caste and Schedule Tribes, the upper age limit will be subject to relaxation made by the Government from time to time.

3) Educational Qualification - As laid down in the Schedule-II

13. Disqualification for appointment to the Service. - (1) No person shall be appointed to the service who, after such medical examination as the Government may prescribed, is not found to be in good mental or bodily health and free from any physical defect or infirmity which may render him unfit in the discharge of his duties .

(2) No person shall be appointed to the service who had been convicted for any offence

involving moral turpitude.

(3) No person who has more than one spouse living shall be eligible for appointment to the Service;

Provided that the Appointing Authority may, if he is satisfied that there are special grounds for doing so exempt any person from the operation of this sub-rule (3).

(4) No person who attempts to enlist support for his candidature either directly or indirectly by any recommendation either written or oral or by any other means, shall be appointed to a post in the Service.

14. Appointment to the Service. - (1) Appointment to any post in the Service under rule 7 shall be made by the Appointing Authority by an order in writing and shall be published in the Meghalaya Gazette.

(2) Subject to the provisions of sub-rule (3) and (5) of rule 11, appointment shall be made from time to time in the order in which the names of candidates appear in the Merit List prepared under sub-rule (4) of Rule 11.

(3) A person appointed by direct recruitment shall join within 15 days from the date of receipt of the order of appointment, failing which and unless the Appointing Authority extend the period of joining, which shall not in any case exceed 3 (three) months, the appointment shall be cancelled.

(4) Appointment under sub-rule (1) and (2)) of rule 7 shall be made in the order in which the names of candidates appear in the Select List approved by the Committee on under sub-rule (4) of rule 9.

15. Probation. - Every person appointed to the Service under sub-rule (2) of rule 7 shall be on probation for a period of 2 (two) years:

Provided that the period of probation may for good and sufficient reason be extended by the Appointing Authority in any individual case by a period not exceeding 2 (two) years:

Provided further that where a person appointed to the post in the Service could

not be placed under probation for want of permanent vacancy, any period which he has rendered in a temporary capacity, may having regard to his performance be counted towards the period of probation.

16. Discharge or Reversion. - (1) Where the Appointing Authority finds that the performance of duty by any member of the service, appointed by promotion, is unsatisfactory or where he is found unfit to hold the post at any time during the period of probation, such member shall be liable to be reverted to his next lower post or grade.

(2) A member of the Service appointed by direct recruitment shall be liable to be discharged if –

a) He fails to make satisfactory performance during the period of probation;

or

b) On any information received relating to his nationality, age, health, character and antecedents the Appointing Authority is satisfied that the probationer is ineligible or otherwise unfit for being a member of the Service.

17. Seniority. - (1) The interse seniority of the members of the service in any cadre appointed before the commencement of these rules, shall be in the order in which their names appeared in the respective merit lists prepared by the Commission or the Select Lists approved by the Commission.

(2) The interse seniority of the members of the service appointed to different cadres after the commencement of these rules shall be in the order in which their names appear in the respective Merit List prepared by the Commission or Committee under sub-rule (4) of rule 11 or in the Select List approved under sub rule (4) of rule 9;

Provided that, in any cadre, a member of the service appointed by promotion/selection shall be senior to a member appointed by direct recruitment, where such selection falls in the same year.

(3) If confirmation of any member of the Service is delayed on account of his failure to qualify for such confirmation, he shall lose his seniority in that cadre vis-a-vis such of his

juniors who have been confirmed earlier than him/her. His original position shall, however, be restored on his/her confirmation subsequently.

18. Confirmation. - (1) Confirmation of a member of the Service in a cadre shall be made according to his seniority in that cadre subject to the following conditions:-

- a) that he or she has served not less than one year in the post where he is to be confirmed;
- b) that his or her performance is satisfactory (to be judged on the basis of Annual Confidential Reports and other relevant records or documents);
- c) that there is no departmental proceedings or vigilance enquiry against him or her; and
- d) subject to availability of vacancy and that no Officer holds a lien on it.

(2) Confirmation of a probationer in a cadre shall be made according to his or her seniority in that particular cadre subject to the following conditions:-

- a) that he or she has completed the period of probation to the satisfaction of the Appointing Authority;
- b) that he or she is considered otherwise fit for confirmation by the Appointing Authority; and
- c) subject to availability of vacancy.

19. Gradation List. - (1) There shall be prepared and published annually an up-to-date gradation list as on 1st January consisting of the names of all members of the service.

(2) The Gradation List shall be drawn up cadre-wise in order of seniority and other particulars relating to appointment to the service and such other details relevant to the service career shall be indicated against each name.

20. Increment. - (1) The first increment admissible to a member of the Service shall accrue on the expiry of one year from the date of his joining the post and thereafter subsequent increment annually.

(2) Such persons referred to in sub - rules (2) of rule 16 shall be allowed to draw increment becoming due within the period of two years from the date of

commencement of these rules.

- (3) The increment admissible to a member of the service promoted from one post to another shall accrue on the expiry of each year as admissible under the rules.

21. Power of the Governor to dispense with or relax any Rule. -

The Governor, if satisfied that the operation of any of the provisions of these Rules causes undue hardship in any particular case or results in any particular post or post being left unfilled for want of person (s) possessing the minimum experience as specified by these rules for promotion to such post (s), may dispense with or relax the requirement of any of these rules to such extent and subject to such conditions, as he may consider necessary for dealing with the case in a just and equitable manner, or, for meeting the exigencies of public interest.

22. Interpretation. - If any question arises relating to the interpretation of these rules, the decision of the Government in the Information Technology Department with the approval of the Personnel & AR Department shall be final.

23. Repeal and Saving.- All Rules, Orders or Notifications corresponding to and in force immediately before the commencement of these rules are hereby repealed:

Provided that all orders made or action taken under the rules, order or notification so repealed or any action taken in pursuant thereto shall be deemed to have been validly made or taken under the corresponding provisions of these rules.

D. P. WAHLANG,

Commissioner & Secretary to the Government of Meghalaya,
Information Technology Department.

Schedule-I
(See rule 2(h),6)

Sl.	Name of post	Time scale pay	Number of posts		
			Permanent	Temporary	Total
1	Senior Informatics Officer	Rs. 23300-700-27500- 830-3248- 970-39270	x	2	2
2	Junior Informatics Officer	Rs. 17000-470-20290- EB-560-25330-760- 33690/-	x	4	4

SCHEDULE-II
(see rule 2(h), 7)

Sl. No	Name of Post	Method of recruitment with percentage of vacancies to be filled up in any recruitment year by direct recruitment or promotion.	Direct Recruitment		Promotion			Remarks	
			Educational Qualification etc required for direct recruitment	Lower age limit	Upper age limit	Persons eligible for consideration for promotion to posts mentioned in Column 2	Qualification experience etc.		
1	2	4	5	6	7	8	9	10	
1	Senior Informatics Officer (Senior Grade)	Promotion 100%	NIL	Nil	Nil	From amongst Junior (JIOs) who have completed 5 years of continuous service			
2	Junior Informatics Officer (Junior Grade)	Direct Recruitment	B.E/B.Tech (Computer Science/Communication & Electronics or equivalent.	18 Years	21-27 Years (relaxation for ST/SC as per existing Rule)				